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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 TERRANCE JON IRBY,

10 Plaintiff,

11 v.

12 MARGRET GILBERT, et al.,

13 Defendants.

CASE NO. C16-5052 RBL-JRC

ORDER ON MOTION FOR  
RECONSIDERATION

14 Plaintiff previously filed a motion for recusal of U.S. Magistrate Judge J. Richard Creatura  
15 (dkt. #84), who declined to recuse himself. Dkt. #94. In accordance with the Local Rules, the  
16 matter was referred to this Court for review of the refusal to recuse; upon review, this Court  
17 affirmed Judge Creatura's refusal. Dkt. #95.

18 Following entry of that order, Plaintiff filed a motion which he entitled "Notice to Stay  
19 Proceeding Due to Interlocutory Appeal," (dkt. #100), which contains the following sentence:  
20 "Supplement argument on recusal of the Judge Creatura should be heard." *Id.* at 1.

21 In an excess of caution, the Court will treat this motion, at least in part, as one for  
22 reconsideration. Local Civil Rule 7(h) provides:

23 Motions for reconsideration are disfavored. The court will ordinarily deny such motions  
24 in the absence of a showing of manifest error in the prior ruling or a showing of new facts  
or legal authority which could not have been brought to its attention earlier with reasonable  
diligence.

1 Plaintiff's motion does not satisfy this standard. He alleges no manifest error in the Court's  
2 prior ruling, nor does he present new facts or legal authority which he claims could not have been  
3 brought to the Court's attention earlier. Therefore, to the extent that Plaintiff is requesting  
4 reconsideration of the prior order affirming Judge Creatura's refusal to recuse, that request is  
5 DENIED.

6 The remainder of Plaintiff's motion is referred back to Judge Creatura for consideration of  
7 whether it constitutes a request for a stay pending interlocutory appeal, and whether that request  
8 is meritorious.

9 The Clerk SHALL provide copies of this order to Plaintiff and to all counsel of record.

10 Dated this 18th day of April 2017.

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14 RICARDO S. MARTINEZ  
15 UNITED STATES DISTRICT JUDGE  
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